

Appl. No. 10/598,844  
Amdt. Dated: March 23, 2009  
Reply to Office action of December 18, 2008

**REMARKS/ARGUMENTS**

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and amended as necessary to more clearly and particularly describe the subject matter that Applicant regards as the invention.

Reconsideration of the subject patent application in view of the present remarks is respectfully requested.

Claim 2 is cancelled.

Claims 1, 4, 8, 10-11, 20 and 22-23 are amended.

Claims 2, 4, 5, 8, 10, 11 and 20-23 are allowable.

*Claim Rejections - 35 USC § 102*

Claims 1, 3, 7, 9 and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Ma et al. (US 6,570,468; hereinafter "Ma").

Regarding the amended claim 1, Ma does not disclose that the physical property of the micro-vibrator changes in accordance with a crystal structural change of the micro-vibrator when excited so as to select a signal, as admitted by the examiner in the Office action (page 6, line 8; the prior art does not disclose a crystal). Also, the pertinent portion of the limitations of the allowable claim 2 is included in the amended claim 1. Therefore, since every limitation of claim 1 is not taught by the reference, claim 1 is not fully anticipated by Ma. Thus, withdrawal of the rejection as it applies to claim 1 is respectfully requested.

Appl. No. 10/598,844  
Amdt. Dated: March 23, 2009  
Reply to Office action of December 18, 2008

Claims 3, 7, 9 and 19 which are dependent from claim 1 should also be allowable for at least the same reason.

***Claim Rejections - 35 USC § 103***

Claim 6 is rejected under U.S.C. 103(a) as being unpatentable over Ma et al. (US 6,570,468; hereinafter "Ma").

Claim 6 is dependent from claim 1. Thus, all of the limitations of claim 1 are included in claim 6.

Regarding claim 6, Ma does not disclose, teach or render foreseeable that the physical property of the micro-vibrator changes in accordance with a crystal structural change of the micro-vibrator when excited so as to select a signal, as admitted by the examiner in the Office action (page 6, line 8; the prior art does not disclose a crystal). Also, the pertinent portion of the limitations of the allowable claim 2 is included in the amended claim 1 from which claim 6 is dependent. Accordingly, Ma does not meet all of the limitations of claim 6. Therefore, Ma does not render claim 6 obvious. Thus, withdrawal of the rejection as it applies to claim 6 is respectfully requested.

Claims 12 and 13 are rejected under U.S.C. 103(a) as being unpatentable over Ma et al. (US 6,570,468; hereinafter "Ma") in view of Li et al. (US 6,916,717; hereinafter "Li").

Claims 12 and 13 are dependent from claim 1. Thus, all of the limitations of claim 1 are included in claims 12 and 13.

Regarding claims 12 and 13, neither Ma nor Li, alone or in combination, discloses, teaches or renders foreseeable that the physical property of the micro-vibrator changes in

Appl. No. 10/598,844  
Amtd. Dated: March 23, 2009  
Reply to Office action of December 18, 2008

accordance with a crystal structural change of the micro-vibrator when excited so as to select a signal, as admitted by the examiner in the Office action (page 6, line 8; the prior art does not disclose a crystal). Also, the pertinent portion of the limitations of the allowable claim 2 is included in the amended claim 1 from which claims 12 and 13 are dependent. Accordingly, the combination of Ma and Li does not meet all of the limitations of claims 12 and 13. Therefore, the asserted combination of Ma and Li does not render claims 12 and 13 obvious. Thus, withdrawal of the rejection as it applies to claims 12 and 13 is respectfully requested.

Claims 14, 15, 24, 25 and 27 are rejected under U.S.C. 103(a) as being unpatentable over Ma et al. (US 6,570,468; hereinafter "Ma") in view of Monroe et al. (US 6,914,709; hereinafter "Monroe").

Claims 14, 15, 24, 25 and 27 are dependent from claim 1. Thus, all of the limitations of claim 1 are included in claims 14, 15, 24, 25 and 27.

Regarding claims 14, 15, 24, 25 and 27, neither Ma nor Monroe, alone or in combination, discloses, teaches or renders foreseeable that the physical property of the micro-vibrator changes in accordance with a crystal structural change of the micro-vibrator when excited so as to select a signal, as admitted by the examiner in the Office action (page 6, line 8; the prior art does not disclose a crystal). Also, the pertinent portion of the limitations of the allowable claim 2 is included in the amended claim 1 from which claims 14, 15, 24, 25 and 27 are dependent. Accordingly, the combination of Ma and Monroe does not meet all of the limitations of claims 14, 15, 24, 25 and 27. Therefore, the asserted combination of Ma and Monroe does not render claims 14, 15, 24, 25 and 27 obvious. Thus, withdrawal of the rejection as it applies to claims 14, 15, 24, 25 and 27 is respectfully requested.

Appl. No. 10/598,844  
Amtd. Dated: March 23, 2009  
Reply to Office action of December 18, 2008

Claims 16 and 17 are rejected under U.S.C. 103(a) as being unpatentable over Ma et al. (US 6,570,468; hereinafter "Ma") in view of Prophet (US 6,788,175).

Claims 16 and 17 are dependent from claim 1. Thus, all of the limitations of claim 1 are included in claims 16 and 17.

Regarding claims 16 and 17, neither Ma nor Prophet, alone or in combination, discloses, teaches or renders foreseeable that the physical property of the micro-vibrator changes in accordance with a crystal structural change of the micro-vibrator when excited so as to select a signal, as admitted by the examiner in the Office action (page 6, line 8; the prior art does not disclose a crystal). Also, the pertinent portion of the limitations of the allowable claim 2 is included in the amended claim 1 from which claims 16 and 17 are dependent. Accordingly, the combination of Ma and Prophet does not meet all of the limitations of claims 16 and 17. Therefore, the asserted combination of Ma and Prophet does not render claims 16 and 17 obvious. Thus, withdrawal of the rejection as it applies to claims 16 and 17 is respectfully requested.

Claim 18 is rejected under U.S.C. 103(a) as being unpatentable over Ma et al. (US 6,570,468; hereinafter "Ma") in view of Ono et al. (US 6,753,488; hereinafter "Ono").

Claim 18 is dependent from claim 1. Thus, all of the limitations of claim 1 are included in claim 18.

Regarding claim 18, neither Ma nor Ono, alone or in combination, discloses, teaches or renders foreseeable that the physical property of the micro-vibrator changes when excited so as to select a signal, as admitted by the examiner in the Office action (page 6, line 8; the prior art does not disclose a crystal). Also, the pertinent portion of the limitations of the allowable claim

Appl. No. 10/598,844  
Amtd. Dated: March 23, 2009  
Reply to Office action of December 18, 2008

2 is included in the amended claim 1 from which claim 18 is dependent. Accordingly, the combination of Ma and Ono does not meet all of the limitations of claim 18. Therefore, the asserted combination of Ma and Ono does not render claim 18 obvious. Thus, withdrawal of the rejection as it applies to claim 18 is respectfully requested.

Claim 26 is rejected under U.S.C. 103(a) as being unpatentable over Ma et al. (US 6,570,468; hereinafter "Ma") in view of Murata (US 6,972,636).

Claim 26 is dependent from claim 1. Thus, all of the limitations of claim 1 are included in claim 26.

Regarding claim 26, neither Ma nor Murata, alone or in combination, discloses, teaches or renders foreseeable that the physical property of the micro-vibrator changes when excited so as to select a signal, as admitted by the examiner in the Office action (page 6, line 8; the prior art does not disclose a crystal). Also, the pertinent portion of the limitations of the allowable claim 2 is included in the amended claim 1 from which claim 26 is dependent. Accordingly, the combination of Ma and Murata does not meet all of the limitations of claim 26.

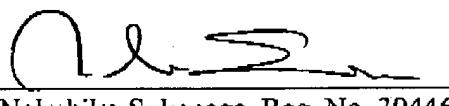
In consideration of the foregoing analysis, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

Appl. No. 10/598,844  
Arndt. Dated: March 23, 2009  
Reply to Office action of December 18, 2008

If there are any additional fees resulting from this communication, please charge same to  
our Deposit Account No. 16-0820, our Order No. NGB-41064.

Respectfully submitted,

PEARNE & GORDON LLP

By: 

Nobuhiko Sukenaga, Reg. No. 39446

1801 East 9th Street  
Suite 1200  
Cleveland, Ohio 44114-3108  
(216) 579-1700

Date: March 17, 2009

Page 16 of 16